



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

REGION 1

1 CONGRESS STREET, SUITE 1100  
BOSTON, MASSACHUSETTS 02114-2023

**URGENT LEGAL MATTER -- PROMPT REPLY NECESSARY**  
**CERTIFIED MAIL -- RETURN RECEIPT REQUESTED**

May 6, 2003

Waterbury Realty LLC  
Great Brook Industrial Park  
David Holand  
2447 Third Avenue  
Bronx, NY 10451

Re: **REQUEST FOR ACCESS TO PROPERTY**

Dear Mr. Holand:

The United States Environmental Protection Agency ("EPA") respectfully requests permission for EPA, its agents, contractors, and other authorized representatives to have access to your property located at 730 North Main Street, Waterbury, Connecticut 06704.

EPA requests access to your property to conduct or oversee a removal site evaluation and / or removal action at the EPAC Site ("Site") (Formerly known as Great Brook Site). A removal site evaluation and / or removal action is necessary to assess and/or abate the potential danger to public health and/or the environment posed by the release or threat of release of hazardous substances, including but not limited to polychlorinated biphenyls (PCBs) and asbestos-containing materials (ACM), known or reasonably believed to be present at the site. The type of activities which EPA expects to perform include sampling and analysis of any debris, soils, drums and / or containers that may be discovered during the assessment. EPA requests access for a period of 180 days from the date of execution of a signed access agreement. If contamination is found that requires further sampling or a response action, a subsequent request for access will be sent to you.

EPA also requests access to all documentation which provides information about materials, including hazardous substances, pollutants or contaminants, or hazardous waste, that were generated, treated, stored, or disposed of at the Site. In addition, if you have information and documentation regarding other parties involved in the activities which may have resulted in contamination at the Site, you should contact Sharon C. Fennelly, EPA Enforcement Coordinator, at (617) 918-1263.

Upon completion of the investigation, a determination will be made as to the conditions of the above referenced property as required in the National Contingency Plan. If it is determined that an immediate threat to human health and/or the environment exists, an action to remove the threat will be needed. A Removal Action may take several months, and will be discussed with you further should the need arise.

Toll Free • 1-888-372-7341

Internet Address (URL) • <http://www.epa.gov/region1>

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Request for Access Letter  
EPAC Site (Formerly Great Brook Site)  
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Entry to your property to conduct these activities is authorized by federal law, in particular Section 104(e) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9604(e). Entry by EPA is also authorized under Section 3007 of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. § 6297. Under that section EPA may enter property where hazardous wastes are or have been disposed of, transported from, generated, stored, or treated in order to enforce the provisions of RCRA.

Please signify your consent to access by signing the enclosed access agreement and returning it to me at the above address. The access agreement must be signed by all owners of the property. Please provide the name, address, and telephone number of a designated contact for future communications. If EPA does not receive a reply within **ten (10) business days** of your receipt of this letter, it will become necessary for EPA to employ other means to obtain access. Such means may include issuing an administrative order or bringing an action in federal court to secure EPA's right to access.

Your cooperation in assisting with completion of activities at the Site is appreciated. If you have any questions, I may be contacted at (617) 918-1235. All communications from your legal counsel should be directed to Cynthia A. Lewis of the EPA Office of Environmental Stewardship at (617) 918-1889.

Sincerely,



Leslie Sims  
On-Scene Coordinator  
Emergency Planning and Response Branch/Emergency Response

Attachment

cc: Sharon C. Fennelly, EPA Enforcement Coordinator - OSRR  
Cynthia A. Lewis, EPA Removal Counsel - OES

## CONSENT FOR ACCESS TO PROPERTY

NAME: EPAC Site (Formerly Great Brook Site)(a.k.a Waterbury Realty LLC)

ADDRESS OF  
PROPERTY: 730 North Main Street  
Waterbury, Connecticut 06704

I (We) consent to the officers, employees, agents, contractors, subcontractors, consultants, and other authorized representatives of the United States Environmental Protection Agency ("EPA") entering and having continued access to the above-referenced property for the following purpose(s):

- Taking soil, water and air samples as may be determined necessary.
- Sampling any solids or liquids stored or disposed of on-site.
- Taking other actions related to the investigation of surface or subsurface contamination.
- Conducting response actions, or overseeing response actions being performed by potentially responsible parties under EPA orders, to mitigate the hazards posed by PCBs, ACM, and other hazardous substances found at the Site.
- Taking any other response actions or evaluating the need to take other response actions.

I (We) realize that these actions by EPA are undertaken pursuant to EPA's response and enforcement authorities under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9601 et seq

I (We) understand that a representative of the company may accompany EPA or its representatives during the removal assessment and I (We) agree that our representative will not interfere in any way with conduct of the assessment/investigation. However, this Consent for Access is not contingent on a representative accompanying EPA or its representatives during the removal assessment/ investigation.

I (We) give this written permission voluntarily with knowledge of my (our) right to refuse and without threats or promise of any kind.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Property Owner or  
Owner's Authorized Representative

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CONSENT OF ADDITIONAL PROPERTY OWNER(S)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Property Owner or  
Owner's Authorized Representative

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Attach additional sheets if necessary





## Office of Enforcement and Compliance Assurance **INFORMATION SHEET**

### **U.S. EPA Small Business Resources**

If you own a small business, the United States Environmental Protection Agency (EPA) offers a variety of compliance assistance and tools to assist you in complying with federal and State environmental laws. These resources can help you understand your environmental obligations, improve compliance and find cost-effective ways to comply through the use of pollution prevention and other innovative technologies.

#### **EPA Websites**

EPA has several Internet sites that provide useful compliance assistance information and materials for small businesses. Many public libraries provide access to the Internet at minimal or no cost.

EPA's Small Business Home Page (<http://www.epa.gov/sbo>) is a good place to start because it links with many other related websites. Other useful websites include:

#### *EPA's Home Page*

<http://www.epa.gov>

#### *Small Business Assistance Programs*

<http://www.epa.gov/ttn/sbap>

#### *Compliance Assistance Home Page*

<http://www.epa.gov/oeca/oc>

#### *Office of Site Remediation Enforcement*

<http://www.epa.gov/oeca/osre>

#### **Hotlines, Helplines and Clearinghouses**

EPA sponsors approximately 89 free hotlines and clearinghouses that provide convenient assistance on environmental requirements.

EPA's Small Business Ombudsman Hotline can provide a list of all the hot lines and assist in determining the hotline best meeting your needs. Key hotlines include:

#### **EPA's Small Business Ombudsman**

(800) 368-5888

#### **Hazardous Waste/Underground Tanks/ Superfund**

(800) 424-9346

#### **National Response Center**

(to report oil and hazardous substance spills)

(800) 424-8802

#### **Toxics Substances and Asbestos Information**

(202) 554-1404

#### **Safe Drinking Water**

(800) 426-4791

#### **Stratospheric Ozone and Refrigerants Information**

(800) 296-1996

#### **Clean Air Technical Center**

(919) 541-0800

#### **Wetlands Hotline**

(800) 832-7828

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